रजिस्ट्री सं० डी० 221 REGISTERED No. D. 221

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 2
PART II—Section 2
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 49] नई दिल्ली, शुक्रवार, अगस्त 30, 1968/भाद्र 8, 1890
No 49] NEW DELHI, FRIDAY, AUGUST 30, 1968/BHADRA 8, 1890

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation

LOK SABHA

The following Bill was introduced in Lok Sabha on the 30th August, 1968:—

BILL No. 77 OF 1968

A Bill to alter the name of the State of Madras.

BE it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Madras State (Alteration of Name) Act, 1968. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires,— Definitions.

(a) "appointed day" means the date appointed under sub-section (2) of section 1 for the coming into force of this Act;

(*b*) "appropriate Government" means, as respects a law relating to a matter enumerated in List I in the Seventh Schedule to the Constitution, the Central Government, and as respects any other law, the State Government;

(*c*) "law" includes any enactment, Ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having the force of law in the whole or any part of the State of Madras.

Alteration of name of State of Madras

3. As from the appointed day, the State of Madras shall be known as the State of Tamil Nadu.

Amendment of article 31A, article 168 and article 290A of the Constitution.

4. In sub-clause (*a*) of clause (2) of article 31A, in sub-clause (*a*) of clause (1) of article 168 and in article 290A of the Constitution, for the word "Madras", the words "Tamil Nadu" shall be substituted.

Amendment of First and Fourth Schedules to the Constitution.

5. (*1*) In the First Schedule to the Constitution, under the heading "I. THE STATES", for the figure and word "7. Madras", the figure and words "7. Tamil Nadu" shall be substituted.

(*2*) In the Fourth Schedule to the Constitution, for the figure and word "8. Madras", the figure and words "8. Tamil Nadu" shall be substituted.

Power to adapt laws.

6. (*1*) For the purpose of giving effect to the alteration of the name of the State of Madras by section 3, the appropriate Government may, before the expiration of one year from the appointed day, by order, make such adaptations and modifications of any law made before the appointed day, whether by way of repeal or amendment as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made.

(*2*) Nothing in sub-section (*1*) shall be deemed to prevent a competent Legislature or other competent authority from repealing or amending any law adapted or modified by the appropriate Government under the said sub-section.

Power to construe laws.

7. Notwithstanding that no provision or insufficient provision has been made under section 6 for the adaptation of a law made before

the appointed day, any court, tribunal or authority required or empowered to enforce such law may construe the law in such manner, without affecting the substance, as may be necessary or proper in regard to the matter before the court, tribunal or authority.

Legal proceedings.

8. Where immediately before the appointed day any legal proceedings are pending to which the State of Madras is a party, the State of Tamil Nadu shall be deemed to be substituted for the State of Madras in those proceedings.

STATEMENT OF OBJECTS AND REASONS

The Government of Madras forwarded to the Central Government in September, 1967, the resolution passed unanimously by the Legislative Assembly and the Legislative Council of Madras in July, 1967, recommending that the name of the State of Madras be changed into "Tamil Nadu" and requested the Central Government to bring forward the necessary legislation in Parliament to give effect to the resolution. The Bill provides for such alteration of the name of the State of Madras and contains the necessary amendments to the provisions of the Constitution and also consequential provisions.

2. As required by the proviso to article 3 of the Constitution, the President referred the Bill to the Legislature of the State of Madras for expressing its views thereon and that Legislature has approved the enactment of the Bill by Parliament.

NEW DELHI; Y. B. CHAVAN.

The 21st August, 1968.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 3 OF THE CONSTITUTION OF INDIA

[Copy of letter No. 3/1/67-SR, dated the 23rd August, 1968 from Shri Y. B. Chavan, Minister of Home Affairs to the Secretary Lok Sabha.]

The President having been informed of the subject matter of the Bill to alter the name of the State of Madras, recommends the introduction of the Bill in the Lok Sabha under proviso to article 3 of the Constitution.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 6 of the Bill empowers the appropriate Government to adapt and modify existing laws for the purpose of giving effect to the alteration of the name of the State of Madras by clause 3. This power will be available only for a period of one year from the appointed day. The adaptations and modifications cannot affect the substance of the laws adapted.

2. The delegation of legislative power is of a normal character.

S. L. SHAKDHER,
Secretary.

PRINTED IN INDIA BY THE GENERAL MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI AND PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI, 1965